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PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

51

Application Number

10/669,177

Filing Date

09-23-2003

First Named Inventor

Ba-Zhong Shen

Art Unit

2133

Examiner Name

DILDINE JR, R STEPHEN

Attorney Docket Number

BP3036.1

**ENCLOSURES (Check all that apply)**

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/  
Incomplete ApplicationReply to Missing Parts  
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a  
Provisional Application

Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

After Allowance Communication to TC

Appeal Communication to Board  
of Appeals and InterferencesAppeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify  
below):2. cover sheet/certification statement (2  
pages)

(see remarks below for additional items)

Remarks

The following are also being submitted herewith:

3. IDS forms (PTO/SB/08A, 0 sheet and PTO/SB/08B, 1 sheet) (1  
page)4. cover letter from foreign associate and hard copy of non-U.S. patent  
reference (47 pages)

5. return postcard

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Garlick Harrison &amp; Markison (USPTO CN 51472)

Signature

/SXShort/ Reg. No. 45,105

Printed name

Shayne X. Short, Ph.D. (Reg. No. 45,105)

Date

01-16-2007

Reg. No.

45,105

**CERTIFICATE OF TRANSMISSION/MAILING**I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with  
sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
the date shown below:

Signature

Typed or printed name

Barbara A. Adkins

Date

01-16-2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Copied from 10699177 on 02/11/2007

**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Application Serial No:</b> 10/669,177	<b>Attorney Docket No:</b> BP3036.1
<b>Application Filing Date:</b> 09-23-2003	<b>Inventor(s):</b> Ba-Zhong Shen, Hau Thien Tran, and Kelly Brian Cameron
<b>Examiner:</b> Dildine Jr., R. Stephen	
<b>Art Group:</b> 2133	<b>Patent No:</b> n/a
<b>Confirmation No:</b> 4091	<b>Patent Issue Date:</b> n/a
<b>Title:</b> Iterative metric updating when decoding LDPC (Low Density Parity Check) coded signals and LDPC coded modulation signals	

Date: 01-16-2007

Mail Stop PETITION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TEL: (571) 272-3282

FAX: (571) 273-0025

**SUBMISSION OF HARD COPY OF NON-U.S. PATENT REFERENCE**  
**THAT WAS CITED IN IDS (Information Disclosure Statement) THAT**  
**ACCOMPANIED AN EARLIER FAX-FILED PETITION FOR WITHDRAWAL**  
**FROM ISSUE UNDER 37 C.F.R. §1.313**

The Applicant submitted, via a facsimile-filing on 01-16-2007, a petition under 37 C.F.R. §1.313 for the withdrawal from issue of the above-referenced U.S. utility patent application to permit consideration of one (1) reference being submitted via IDS (Information Disclosure Statement).

The issue fee for the above referenced U.S. utility patent application was submitted in a filing that was mailed on 12-21-2006.

Also in the facsimile-filing on 01-16-2007, the Applicant submitted an RCE (Request for Continued Examination) to requests independent consideration by the Examiner of the one (1) reference cited within the IDS.

It is requested that the enclosed reference listed on the attached Information Disclosure Statement by Applicant be considered by the Examiner in connection with the above-identified U.S. utility patent application and be made of record therein. During examination of a related EP patent application, the Examiner of the related EP patent application identified the enclosed reference. The cover letter provided by our foreign associate as well as a hard copy of the non-U.S. patent reference are being submitted

herewith. The reference cited within the IDS is being mailed separately as sending it via the facsimile-filing on 01-16-2007 would have been impracticable.

Certification Under 37 C.F.R. § 1.97(e)(1)

I hereby certify that the corresponding enclosed reference was cited in a communication from a foreign patent office in a counterpart foreign application (European Patent application 03022638.5-1247) not more than three months prior to the filing of this Information Disclosure Statement by Applicant.

Independent consideration and acknowledgment of the enclosed reference is respectfully requested.

A hard copy of the non-U.S. patent references cited within the IDS is being mailed separately as sending it via the facsimile-filing on 01-16-2007 would have been impracticable.

Since prosecution on the merits is closed for the above-referenced U.S. utility patent application, the hard copy of the non-U.S. patent reference is being subsequently mailed via 1<sup>st</sup> class mail to the following address as instructed by the Office of Petitions:

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present U.S. utility patent application.

RESPECTFULLY SUBMITTED,

By: /SXShort/ Reg. No. 45,105  
Shayne X. Short, Ph.D., Reg. No. 45,105  
Direct Phone: (512) 825-1145  
Direct Fax No. (512) 394-9006

GARLICK HARRISON & MARKISON  
ATTORNEYS AT LAW  
P.O. BOX 160727  
AUSTIN, TEXAS 78716-0727

TELEPHONE (512) 825-1145 / FACSIMILE (512) 394-9006 OR (512) 301-3707



(Use as many sheets as necessary)

Sheet	1	of	1
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Application Number	10/669,177
Filing Date	09-23-2003
First Named Inventor	Ba-Zhong Shen
Art Unit	2133
Examiner Name	DILDINE JR, R STEPHEN
Attorney Docket Number	BP3036.1

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published
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Moe Wheatley, "WinPSK Technical Reference Manual", 46 pages,  
12-28-1999

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 509. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

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